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AMENDMENT

M2009-13.AM1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :ADSUMI
Serial No . :09/473495
Filed :12/28/99
For :SHAFT FOR LIGHT WEIGHT GOLF CLUBS
Examiner :JUSTIN R. FISCHER
Art Unit :1733
Our ref. no. :M2009-13

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks, Washington D.C. 20231 on:

Date: *Feb. 22, 2002*
By : Margaret L. Goldstein

Signature: *M. Goldstein*

AMENDMENT IN RESPONSE TO OFFICE ACTION

RECEIVED

MAR 11 2002

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

TECHNOLOGY CENTER R3700

SIR:

In response to the Office Action mailed 10/11/01 having a three-month shortened statutory period for response which expired 01/11/ 02. Applicants petition herein for an extension of time to respond.

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TC 1700*

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materials having fibers aligned along a single direction, as is specifically required. For this reason alone, Jackson does not and cannot be applied in an obvious consideration of claim 20, and Applicants propose claim 20 is patentable thereover.

Moreover, the Examiner states that the angle formed by cross layers 63' and 64' in Figure 17 of Jackson is slightly larger than 90 degrees and concludes that this falls well within the range of 70-150 degrees defined in claim 20. However, Jackson specifically states that Figures 16 and 17 are identical except that an additional layer 72' has been added in Figure 17. In column 5, lines 25-29, Jackson states, "layer 60' is encased in a layer 62" of spirally wound or braided fiber glass strands 63' and 64', the spiral wound layer 62' being covered by short chopped fiber glass filaments 65' disposed in random orientation." Hence strands 63' and 64' are not cross layers and do not form any angle whatsoever. Hence, Jackson does not fairly disclose, teach, suggest, or offer motivation for this claimed angle, and for this reason alone claim 20 is patentable over Jackson and the remaining references.

None of the other references fairly cure the deficiencies of Jackson as an anticipation of claim 20. None of the references fairly teach, show, or support the claimed angle. None of the references teach, shown, or support the multiplicity of materials having fibers aligned along single directions; none of them show the combination of angles using such material and fiber alignments.

Consequently, after a complete review of the references, claim 20 is respectfully suggested as allowable over the combination of applied references and such allowance is respectfully solicited.

Applicants respectfully submit, that the prior art combined references must teach or suggest all the claim limitations. MPEP § 2143. The teachings or

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suggestions to make the claimed combination and the reasonable expectation of success must both ‘as a whole’ be found in the prior art, and not based upon Applicant’s disclosure MPEP § 2142. Applicants respectfully note that the motivation to combine references must be clearly and adequately taught in the references themselves. See *In re Lee* No.00-1158 (CAFC) (Jan. 18, 2002) vacating an obviousness ruling of the Board where factual support from the references was not specifically supplied in direct relation to the references..

Applicants respectfully submit that the combination of references as proposed by the Examiner, neither fairly teach or suggest, all of the claim limitations of the present invention, nor provide a suggested desirability for the necessary modifications and additions, nor provide a reasonable expectation of success without further modification. In sum, Applicants respectfully propose that claim 20 is allowable for the above reason and earnestly solicit timely notification to that end.

FILING STATUS OF PRESENT APPLICATION

The present application is a division of application SN 09/193928 filed 11/17/98. It is requested that the record be corrected (it currently and incorrectly shows this application as a continuation) and a new formal identification form be made of record.

CONCLUSION

Reconsideration and withdrawal of the rejection is respectfully requested. In view of the foregoing, the application is now believed to be in proper form for allowance and notice to that effect is earnestly solicited.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment,

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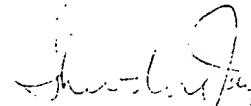
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to Deposit Account No. 13-4550. No new matter is added.

In the spirit of condensed and streamlined practice, if the Examiner believes that a telephone conference would be of value, he is respectfully requested to call the undersigned counsel at the number listed below for prompt response.

Early and favorable action is respectfully solicited.

Respectfully Submitted,



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Date: 2/14/01